IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO. 3 OF 2005
IN
WRIT PETITION NO. 3682 OF 2002

Smt. Kalpana Ashok Raut .. Petitioner
V/s.
The Collector of Raigad and others .. Respondents

Mr. S.G. Aney, Senior Advocate with Mr. Shiva D. Patil for the Petitioner
Mr. C.R. Sonawane, AGP. for the Respondents

(In Chamber : At 2:35 pm.)

CORAM : S. RADHAKRISHNAN, J.
DATED : 16.02.2005

P.C.:-

1. Heard the learned counsel for the Petitioner and the learned counsel for the Respondents. Rule. Rule made returnable forthwith by consent. The learned Additional Government Pleader waives service on behalf of the Respondents. By this Review Petition, the Petitioner is seeking review of my order dated 22.4.2003 in Writ Petition No. 3682 of 2002, whereby the above Petition was dismissed.

2. Shri Aney, the learned Senior counsel appearing on behalf of the Petitioner contended that due to inadvertence, neither the Petitioner, nor the Counsel could bring to the notice of this Court, an order passed by a Division Bench of this Court in Writ Petition No. 3196 of 1999 **(Shri Ravindra Udhav Patil Vs. State of Maharashtra dated 27.9.2000)**, wherein this Court has held in unequivocal terms that even a married daughter, who is otherwise equally eligible for employment like a son will get the benefit of being considered for the employment on the posts reserved for "project affected persons".

3. Based on the aforesaid judgment, Government of Maharashtra issued a G.R. on 30.10.2001, which is annexed as Exhibit D to the Review Petition, wherein the above judgment is specifically referred to and the said G.R. makes it clear that even a married daughter and/or her children are eligible for being considered under the category of "project affected persons". The Petitioner herein contends that she is the married daughter of one Madhukar Govind Mhatre, who was a project affected person. Shri. Sonawane, the learned Additional Government Pleader does not dispute the issuance of the above Government Resolution dated 30.10.2001.

4. Having regard to the aforesaid facts and circumstances, specially in view of the aforesaid judgment of our Division Bench dated 27.9.2000 in Writ Petition No. 3196 of 1999 and also in view of the Government Resolution dated 30.10.2001, my order dated 22.4.2003 stands recalled, and stands modified whereby the Respondent No. 1- Collector of Raigarh is directed to consider the case of the Petitioner in accordance with the aforesaid Government Resolution dated 30.10.2001 with regard to her claim under the category of "project affected persons" and if she is found otherwise fit for the same, her name be also included in the list of the project affected persons. The Review Petition stands disposed in the above terms.

(S. RADHAKRISHNAN, J.)